

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
JEFFREY WILSON and	)	No. 1:13-cr-190
CRAIG DUCEY,	)	
	)	
Defendants.	)	
	)	
	)	
	)	
	)	

**UNOPPOSED MOTION FOR PROTECTIVE ORDER**

COMES NOW THE UNITED STATES, through undersigned counsel, and respectfully moves this honorable Court for a protective order limiting the use of materials provided in discovery in this criminal case to the litigation of the case.

This case involves, among other things, trade in the commodity biodiesel. Biodiesel is the product of industrial chemical processes, and some of those processes are proprietary. In addition, biodiesel pricing is subject to many factors and businesses that trade and transport biodiesel may have closely held pricing strategies.

The U.S. Environmental Protection Agency (EPA) allows participants in the Renewable Fuel Standard (who are subject to regulations that govern some aspects of biodiesel trade) to indicate that information provided to the EPA is confidential business information. Such information can and has been shared with the prosecution team. Organizations have produced information to the government in the course of the investigations of these matters and have indicated that some of the information they produced is confidential business information.

The United States is undertaking to provide very broad discovery and, because the government does not have perfect knowledge of what the defenses may be in this case, is planning to make nearly all of the information that informed its investigation available to the defendants.

To do so without unduly compromising information that may be confidential business information, the government has drafted the attached order, which, after consultation, none of the defendants oppose.

JOSEPH H. HOGSETT  
United States Attorney

ROBERT G. DREHER  
Acting Assistant Attorney General  
Environment and Natural Resources Division  
United States Department of Justice

by: /s/ Thomas T. Ballantine  
Thomas T. Ballantine  
Senior Counsel  
Environment and Natural Resources Division

Steven D. DeBrotta  
Senior Litigation Counsel  
U.S. Attorney's Office  
Southern District of Indiana

Jake Schmidt  
Special Assistant United States Attorney  
U.S. Attorney's Office  
Southern District of Indiana

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**PROPOSED ORDER**

Whereas certain documents, data, and other information forming part of the evidence in this case may include confidential business information, and whereas that information contributes to an understanding of the matters alleged in the indictment, it is hereby ordered that all materials produced to the Defendants as discovery in this case shall be used only for the preparation of their defense in these cases, and any subsequent appeals. The purpose of this order is to protect confidential business information while providing the Defendants with the ability to use discovery freely to prepare their defenses. The Defendants, their attorneys, and their attorneys' employees may use all discovery materials for that purpose. Discovery materials may be shared with defense investigators or defense experts for the purpose of preparing a defense but must be returned to the Defendants' attorneys when they are no longer being actively used. Discovery material may be shown to witnesses when necessary to prepare the defense, but may not be given to those witnesses and shall be retained by the Defendants' attorneys. When this case and any appeals have concluded, those

materials provided in discovery that do not form part of the attorneys' case files must be destroyed. The restrictions set forth in this order continue indefinitely for any discovery materials kept as part of the attorneys' case files.

SO ORDERED:

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